

**ORDINANCE NO.**

**AN ORDINANCE WAIVING CERTAIN REQUIREMENTS FOR THE ACQUISITION OF PROPERTIES IN THE 25-YEAR AND 100-YEAR FLOODPLAIN.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The City Council makes the following findings:

- (A) The City of Austin, Texas experienced exceptionally heavy rains and flooding during the week of October 26, 2015, causing the Mayor to declare a local state of disaster.
- (B) Through its approval of Ordinance No. 20150604-021, Item Number 14 at the City Council's March 5, 2015 meeting, and Resolution No. 20140626-028, the City Council authorized the acquisition of certain homes previously impacted by flooding (the "Prior Buyout Authorizations").
- (C) Many of the homes subject to Prior Buyout Authorizations were impacted again by flooding during the week of October 26, 2015.
- (D) It is necessary for the City Council to take action to facilitate individuals moving out of harm's way to increase public health and safety and reduce risks to first responders in any future flood event.

**PART 2. AMENDMENT OF PRIOR BUYOUT AUTHORIZATIONS.**

The City Council amends the Prior Buyout Authorizations for the properties that have not been acquired by the City (i) to allow for the appraisal of properties as of October 29, 2015, (ii) to waive any occupancy requirements for individuals that occupied the property as of October 29, 2015, and (iii) to exclude the deduction of any insurance proceeds allocated to the structure from the purchase price up to the amount expended by the seller in response to the October 30, 2015 flood event, limited to (a) necessary home repairs for life and safety, (b) temporary housing prior to completion of life and safety home repairs, (c) basic home needs (including mattresses, bedding, and clothing), and (d) food prior to completion of life and safety home repairs. Consistent with existing Prior Buyout Authorizations, the City Council directs the City Manager to disregard any insurance proceeds allocated to personal property losses. The City Council directs the City Manager to establish sufficient controls in the implementation of these authorizations.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2015.

**PASSED AND APPROVED**

\_\_\_\_\_, 2015      §  
   §  
   § \_\_\_\_\_  
   Steve Adler  
   Mayor

**APPROVED:** \_\_\_\_\_  
                         Anne L. Morgan  
                         Interim City Attorney

**ATTEST:** \_\_\_\_\_  
                         Jannette S. Goodall  
                         City Clerk